

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

EDUARD PALAGHITA,

Plaintiffs

— against —

ALKOR CAPITAL CORP., ALEKSANDR KORCHMAR,
MARINA KORCHMAR, AND FIVE TOWNS NISSAN
LLC D/B/A “ROCKAWAY NISSAN,”

Defendant.

2019-CV-1504 (ARR)(RER)

Opinion & Order

**Not for electronic or print
publication**

ROSS, United States District Judge:

This Court has received the Report and Recommendation on the instant case dated August 20, 2021, from the Honorable Ramon E. Reyes, Jr., United States Magistrate Judge. No objections have been filed. The Court reviews “de novo any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b); *see also* *Brissett v. Manhattan & Bronx Surface Transit Operating Auth.*, No. 09-CV-874 (CBA)(LB), 2011 WL 1930682, at *1 (E.D.N.Y. May 19, 2011), *aff’d*, 472 F. App’x 73 (2d Cir. 2012) (summary order). Where no timely objections have been filed, “the district court need only satisfy itself that there is no clear error on the face of the record.” *Finley v. Trans Union, Experian, Equifax*, No. 17-CV-0371 (LDH)(LB), 2017 WL 4838764, at *1 (E.D.N.Y. Oct. 24, 2017) (quoting *Estate of Ellington ex rel. Ellington v. Harbrew Imports Ltd.*, 812 F. Supp. 2d 186, 189 (E.D.N.Y. 2011)). Having reviewed the record, I find no clear error. I therefore adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Accordingly, I grant in part Palaghita’s motion to strike the Answer and enter default judgment against all defendants. I award Palaghita damages totaling \$129,235.13, consisting of: (1) \$29,934.48 unpaid overtime wages, (2) \$1,536.90 unpaid gap-time wages, (3) \$31,471.38 liquidated

damages, (4) \$21,000 unlawfully withheld taxes, (5) \$10,000 statutory damages, (7) \$19,380 attorney's fees, (8) \$400 costs, and (9) \$15,512.37 pre-judgment interest. I also award Palaghita pre-judgment interest calculated through the date that the Clerk of Court enters final judgment and post-judgment interest awarded from the date judgment is entered to the date of payment.

SO ORDERED.

_____/s/_____
Allyne R. Ross
United States District Judge

Dated: September 29, 2021
Brooklyn, New York